

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CASE NAME:

USA v. MARCOS KALEO BLUEFORD, JR

CASE NUMBER:

CR

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1 2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes

No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ

Is this a potential high-cost case?

Yes

No

Is any defendant charged with a death-penalty-eligible crime?

Yes

No

Is this a RICO Act gang case?

Yes

No

Assigned AUSA (Lead Attorney): Kevin J. Barry

Date Submitted: March 14, 2025

Comments:

This is a complaint alleging a single violation of 18 U.S.C. s 922(g)(1) against a single defendant.

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR COMPLAINT

I, Gary F. Grzymala, Special Agent of the Federal Bureau of Investigation, being duly sworn, state the following:

INTRODUCTION

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant for MARCOS KALEO BLUEFORD, JR. for being a felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1) (hereafter, the “Target Offense”), on or about May 13, 2024, in the Northern District of California.

SOURCES OF INFORMATION

2. This affidavit is submitted for the limited purpose of securing a criminal complaint and arrest warrant. I have not included every fact known to me concerning this investigation. Instead, I have set forth only the facts necessary to establish probable cause that violations of the federal law identified above have occurred.

3. I have based my statements in this affidavit on my training and experience; personal knowledge of the facts and circumstances obtained through my participation in this investigation; information provided by law enforcement officers, including officers from the San Francisco Police Department (SFPD); information provided by reports prepared by other law enforcement officers; and information provided by records and databases, including regarding BLUEFORD’s criminal history. Where I refer to conversations and events, I often refer to them in substance and in relevant part rather than in their entirety or verbatim, unless otherwise noted. This affidavit also reflects my current understanding of facts relating to this investigation, but my understanding may change in the future as the investigation proceeds.

AFFIANT BACKGROUND

4. I am a Special Agent of the FBI and have been so employed since January 2018. Prior to joining the FBI, I spent approximately seven years employed with the Federal Air

Marshal Service, where I became familiar with firearms, surveillance, and methodologies used by both criminals and terrorists to conceal their activities from law enforcement. I am currently assigned to the San Francisco Field Division of the FBI, where I investigate cases involving violent crimes and gangs. I have received law enforcement training throughout my employment.

5. I have received formal training at the FBI Academy's Basic Agent Training in Quantico, Virginia. During this five-month course, I received several hundred hours of instruction in law enforcement investigations, including training related to violent crime, criminal case management, informant development, and criminal procedure. I have participated in numerous investigations, federal search warrants, and arrests involving alleged firearms violations, robbery, and violent crimes. Throughout my law enforcement career, and as part of my participation in this investigation, I have spoken with, worked with, and gained knowledge from numerous experienced federal, state, and local investigators who have written affidavits for, or participated in, the application for and execution of hundreds of search and arrest warrants over the course of their careers. I have also had discussions with other law enforcement officers and cooperating individuals about gang investigations, violent crimes, murder, arson, mail fraud, wire fraud, and drug trafficking.

6. In preparing this affidavit and in conducting this investigation, I have specifically consulted with members of the San Francisco Police Department ("SFPD") Community Violence Reduction Team ("CVRT"), who, as relevant here, have specialized knowledge regarding criminal street gangs in the San Francisco area.

7. I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7). I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of Federal law, including offenses involving firearms, violent crimes, and racketeering.

APPLICABLE STATUTES

8. Title 18, United States Code, Section 922(g)(1) provides: "It shall be unlawful for any person . . . who has been convicted in any court of, a crime punishable by imprisonment for

a term exceeding one year . . . to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition; or to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.”

9. The elements of the Target Offense are as follows: (1) defendant knowingly possessed a firearm; (2) the firearm had been shipped or transported from one state to another, or between a foreign nation and the United States; (3) at the time defendant possessed the firearm, defendant had been convicted of a crime punishable by imprisonment for a term exceeding one year; and (4) at the time defendant possessed the firearm, defendant knew that he had been convicted of a crime punishable by imprisonment for a term exceeding one year.

FACTS SUPPORTING PROBABLE CAUSE

SFPD Gun Seizure at Golden Gate Ave and Buchanan Street

10. On or about May 13, 2024, members of the San Francisco Police Department (SFPD) Crime Gun Information Center (CGIC) unit were in the area of Golden Gate Avenue and Buchanan Street in an unmarked police vehicle. SFPD officers observed four unknown individuals loitering in the garden area that appeared to be alarmed by their presence.

11. The SFPD officers decided to park their vehicle and walk around the area. One of the males, later identified as MARCOS BLUEFORD, walked over to a flower planter that obstructed the officers’ view of him, appeared to manipulate something in his waistband, and put something into the planter. A nearby surveillance camera captured footage of BLUEFORD at the planter. A screenshot of the footage is show below:



12. After the SFPD officers parked their vehicle, BLUEFORD walked over to them and raised his arms, displaying his waistband and indicating he had nothing hidden there. Surveillance cameras also captured footage of BLUEFORD approaching the officers. A screenshot of the footage is shown below:



13. BLUEFORD and the other individuals then left the area, and the SFPD officers began looking around. The officers soon found a firearm concealed in the planter. A picture of the firearm in the planter is shown below:



14. The SFPD officers examined the firearm and determined it was a loaded Smith and Wesson .40 caliber semiautomatic pistol, model SD40VE, serial number FDL2935. A more detailed image of the firearm is shown below:

LY (Refer to back for directions)	
LOCATION OF OCCURRENCE <i>Golden Gate / Buchanan</i>	CRIME LAB USE
TYPE OF OFFENSE OCCURRENCE <i>221</i>	
SUSPECT <i>BLUEFORD, MARCUS</i>	PROPERTY CONTROL USE
SUSPECT	
VICTIM/REPORTEE	REPORTING OFFICER
VICTIM/REPORTEE	
<input type="checkbox"/> Revolver <input checked="" type="checkbox"/> Pistol (Semi-Auto) <input type="checkbox"/> Derringer <input type="checkbox"/> Other	STATION KEEPER SUPERVISOR
Reported Stolen? <input type="checkbox"/> Yes <input type="checkbox"/> No	ETRACE EXAM BY
	DNA SWAB BY
	NIBIN ENTRY BY
	DATE
SAN FRANCISCO POLICE DEPARTMENT	
Notify Crime Lab prior to Destruction of Firearm entered into NIBIN	

15. The SFPD officers seized the firearm from the planter and later submitted the firearm for DNA testing. The crime lab developed a DNA profile from swabs of the grip of the firearm. The crime lab compared those results to an oral reference swab for BLUEFORD taken from an earlier case in approximately 2014. The results of the analysis showed very strong support for the inclusion of BLUEFORD's DNA within the three-person mixture found on the swabs from the grip. Expressed as a likelihood ratio, the results the crime lab obtained from the grip swabs were 374 septillion times more likely if the DNA originated from BLUEFORD and two random, unrelated people than if it came from three random unrelated people.

16. The crime lab also submitted a reference swab for another individual who was present during the initial police encounter, and that comparison showed evidence for exclusion. The lab also tested swabs from cartridges from inside the firearm and compared the profile from those swabs, but BLUEFORD was excluded as a contributor to that genetic material.

Interstate Nexus of Firearm and Ammunition

17. As part of my investigation for this case, I have consulted with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regarding the Smith and Wesson firearm bearing serial number FDL2935 that was seized in the above referenced incident by SFPD on May 13, 2024. The ATF Special Agent confirmed that the firearm was manufactured outside of the state of California. Further, the ATF Special Agent stated that if the firearm was found in the state of California, it would have traveled in and/or affected interstate and/or foreign commerce.

BLUEFORD's Criminal History

16. Prior to the May 13, 2024, encounter with SFPD, BLUEFORD had been convicted of a crime that was punishable by imprisonment for a term exceeding one year, which serves as probable cause that BLUEFORD knew he was a felon at the time he possessed the firearm.

17. Specifically, in or about July 2019, BLUEFORD was convicted of a felony under California Penal Code 245(b) – Assault with a Semiautomatic Firearm. BLUEFORD's criminal history indicates BLUEFORD was subsequently sentenced to three years of state prison.

18. Based on this information, I believe that BLUEFORD knew he had been convicted of a crime punishable by imprisonment for a term exceeding one year at the time that he possessed the firearm.

**REQUEST TO SEAL AFFIDAVIT, CRIMINAL COMPLAINT,
AND ARREST WARRANT**

19. BLUEFORD was charged in this case on state firearms charges but is currently out of custody. Based on my training and experience, the disclosure of the existence of this affidavit, the complaint, the arrest warrant, and related documents may cause BLUEFORD or other co-conspirators, known and unknown at this time, to destroy evidence or to conceal ongoing criminal activity, jeopardizing the progress of the ongoing investigation, or to flee prior to arrest. I therefore request that the Court seal this affidavit, the complaint, the arrest warrant,

and related documents.

CONCLUSION

20. Based on my training and experience, my participation in this investigation, and the information summarized above, there is probable cause to believe that on May 13, 2024, in the Northern District of California, BLUEFORD committed the crime of felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g)(1).

/s/

Gary Frank Grzymala
Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me via telephone on March, 14, 2025.



HON. SALLIE KIM
United States Magistrate Judge